TL 7458

Action Alert from the East Timor Action Network/US
PO Box 1182, White Plains, NY 10602. (914)428-7299 fax:(914)428-7383 email:cscheiner@igc.org

September 12, 1993

Committee accepts Feingold Amendment. Floor vote in September.
Call or fax both your Senators today!

Tell Senators to Support East Timor by Limiting Arms Sales to Indonesia

On September 8, the Senate Foreign Relations Committee unanimously approved an amendment by Senator Russ Feingold (D-Wisconsin) which links US arms sales to Indonesia and human rights in the Indonesian-occupied territory of East Timor. The amendment to the Foreign Aid Authorization bill requires the President to consult with Congress before approving major weapons deals. It is believed to be the first time arms sales to a US ally have been tied to human rights concerns.

Although the original wording would have barred all US arms sales until self-determination was achieved, it was modified after intense negotiations. In the end, the State Department promised not to oppose the bill, and Kansas Republican Nancy Kassebaum praised it, saying it was likely to pass. Virginia Democrat Charles Robb, Chairman of the Asia-Pacific Subcommittee, also gave his assent. This unity will be hard to reproduce on the Senate floor in the face of increasing opposition.

The amendment covers government-to-government sales and licenses for commercial sales over $14 million, which occur a few times each year. Although it does not establish a legal requirement before sales are approved, there is clear Congressional intent and a politically binding connection between human rights and arms sales. The Indonesian and Australian press have reported it as a "ban."

Especially significant is the bill's requirement for the President to consider whether Indonesia is bringing to justice "all military personnel who were responsible for ordering, authorizing, or initiating" the November 1991 massacre of over 271 unarmed Timorese protesters, which rejects Jakarta's contention that the "incident" was an overreaction by low-level soldiers.

Opposition is mounting, and there may be a Senate floor fight the week of September 20. A Jakarta supporter may move to strike the Feingold wording from the Foreign Aid Authorization bill or, if that bill is shelved, Feingold could offer an amendment to Foreign Operations Appropriations or other legislation.

Weapons contractors and corporate interests lobbied heavily against Feingold, and will continue the fight on the floor. Business associations claimed that all US trade with Indonesia would be jeopardized if the amendment was approved. They warned of the loss of credibility of US weapons suppliers, and raised the "Chinese threat" as the rationale for keeping the right-wing Indonesian military regime as a loyal US ally. Puff pieces in *The New York Times* and *Fortune* magazine touted Indonesia as a good investment with its cheap labor and abundant resources, and bolstered the view that human rights and self-determination should never interfere with the quest for commerce.

The Clinton Administration has threatened to revoke Indonesia's GSP trade preferences next February if repressive labor practices do not improve. Jakarta's strong propaganda response to these warnings shows how much they value their largest export market for manufactured goods. They are unlikely to discard it over East Timor, which is peripheral to Indonesia's economy and security.

Jakarta and the arms industry reacted strongly to the Feingold amendment, with Indonesian armed forces spokesman Brig. Gen. Syarwan Hamid saying "By our standards we have implemented human rights

maximally." Foreign Minister Ali Alatas reiterated that "setting any political condition in any economic and finance cooperation cannot be accepted."

Indonesia invaded East Timor in 1975, and the war and continuing military occupation have killed 200,000 East Timorese, about one-third of the population. The US supported Indonesia for the first 17 years of that occupation, as Jakarta's main weapons supplier and a major diplomatic backer. US arms sales to Indonesia vary from year to year, and were over $100 million in 1991. They include high-technology aircraft and replacement parts, as well as the M-16 automatic weapons used in the 1991 massacre.

After that, the tide began to change, although weapons sales continue. Congress terminated military training aid to Indonesia last October. The Clinton administration supported strong UN resolutions on East Timor, and the State Department recently blocked the sale of four F-5E jet fighters from Jordan to Indonesia. In June, 43 Senators wrote President Clinton calling for a review of U.S. policy on East Timor "with an eye toward facilitating serious negotiations ... in pursuit of the right of self-determination of the East Timorese people. ... We believe that the United States should work ... to convince Indonesia by diplomatic means that it is not in Indonesia's long-term interest to pursue the policies it has followed in East Timor since 1975." When Clinton met the Indonesian President in early July, he became the first US President to raise East Timor and human rights concerns with Suharto, who was gravely insulted.

Indonesia has been defiant. Many Timorese continue to serve long prison sentences for peaceful political activities. In early September, hundreds of young East Timorese were arrested prior to the visit of Congressional staffers and sent to a "guidance course," as is usual on the infrequent occasions that foreign or UN visitors are admitted. Arrests, torture and military occupation continue regardless of international awareness, but Indonesia is increasingly sensitive to that pressure.

Senator Feingold: "*Indonesia has been engaged in a campaign of systematic oppression in the occupied island nation of East Timor since 1975. The full extent of the 1991 massacre and the ongoing Indonesian oppression of East Timor is not fully known because the Indonesian government has not properly investigated this incident. Furthermore, it has refused access to East Timor to international humanitarian organizations and human rights groups. Hopefully this action will serve notice to the government of Indonesia that the United States will not tolerate and will not assist the kind of human rights violations being perpetrated in East Timor.*"

All Senators can be phoned at 202-224-3121 or written at US Senate, Washington, DC 20510.

FEINGOLD AMENDMENT ON ARMS SALES TO INDONESIA

(a) Prior to approval of the sale or transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act (22 U.S.C. 2751 et seq) for which a numbered certification is required under Section 36(b) of that Act, to the Government of Indonesia or to issuance of licenses with respect to the commercial sale of major defense articles or defense services which fall within the scope of Section 36(c)(1) of the Act *[those over $14,000,000]* to such Government, the President shall consult with the Congress and make a determination as to whether there have been improvements in the human rights situation in East Timor.

(b) In making this determination, the President shall carefully consider

- whether the civilians convicted in connection with the November 1991 East Timor incident have been treated in accordance with international standards of fairness, including whether the Indonesian Government has reviewed the sentences of these individuals for the purpose of their commutation, reduction or remission;
- whether the Indonesian Government is taking steps to curb human rights violations by its security forces, including that all military personnel who were responsible for ordering, authorizing or initiating the use of lethal force against demonstrators in East Timor in November 1991, are being brought to justice;
- whether there has been a full public accounting of the individuals missing after the November 1991 incident;
- whether international humanitarian organizations, human rights groups and others have been granted expanded access to East Timor;
- whether the Indonesian Government has implemented stated plans to decrease the military presence on East Timor;
- whether the Indonesian Government is cooperating constructively with the United Nations Secretary General's efforts to promote dialogue between Indonesia and Portugal to resolve issues concerning East Timor.